



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

For: **ELECTROSURGICAL BIOPSY DEVICE
AND METHOD**

Serial No.: 10/650,027

Filed: August 27, 2003

Docket No.: R0367-00302

) Examiner: Charles A. Marmor, II
)
)

) Group Art Unit: 3736
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)

) **RESPONSE TO NOTICE OF**
) **NON-COMPLIANT AMENDMENT**
)
)
)
)

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this paper is being deposited in the United States mail as first class mail with postage prepaid, and is addressed to Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1/20/2006 in San Francisco, CA.

By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed November 22, 2004
from the Patent Office and in compliance with the requirements of 37 C.F.R. §1.121
concurrently filed herewith are replacement drawings of Figures 1, 5, 6, 9, 10, 15 and 16 which
are identified in the top margin as such. Further in response to the Notice is the Resubmission
of Amendment And Response To Office Action Mailed 10/25/2005 in which the claims are
properly identified by status pursuant to 37 CFR 1.121 enclosed herewith.

Respectfully submitted,

By: [Signature]
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) **RESUBMISSION OF AMENDMENT**
) **AND RESPONSE**
) **TO OFFICE ACTION MAILED**
) **10/25/2005**

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8

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Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1/20/2006 in San Francisco, CA.

By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on October 11, 2005 and pursuant to the
Notice of Non-Compliant Amendment (37 CFR S1.121) mailed January 12, 2006,
please amend the above-identified application as follows: